(8) (7)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A.(C) NO. 624 /2006 Single Bench

APPELLANT:

Claimant

Badri Singh Rajput
S/o late Ganesh Singh Rajput
Aged 36 Years, R/o Pol no.105, Zero Road, Shanti Nagar, Bhilai, District Durg(C.G)

VERSUS

RESPONDENTS :

1. Kunja Jaina
   S/oBhagwan Jaina,
   R/o Hanumaan Temple Road,
   RamNagar Bhilai, District Durg
   (Driver Of Offending Vehicle Mahindra Champion Reg. no. CG07/T/0181)

2. Ajay Kumar S/o Hori Narayan Chhajarae, R/o Qr.No. 15 Block No. 4, Street no.9 Sector No.4, Bhilai District Durg(C.G)
   (Owner of offending vehicle Mahindra Champion Reg. no. CG07/T/0181)

3. The Oriental Insurance Company Ltd., Through :Regional Manager Malviya Nagar, Chowk, Durg
   (Insurance Company of Mahindra Champion Reg. no. CG07/T/0181)

P.R. No. 3842/06
Presented by Shri Vandana Sharma
dated 30/11/06

APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT

(21)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

M.A (C) No. 624

मामला क्रमांक ..... सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	03/01/2007 Shri Anurag Jha, copunsel for the appellant. Heard. During arguments the learned counsel for the appellant assailed the impugned award dated 25.7.2006 only on the ground that the monthly income of the appellant was wrongly assessed at Rs.3000/- per month instead of Rs.8000/- in view of the salary certificate furnished by the appellant. However, the above submission cannot be accepted. The impugned award clearly goes to show that the claimant did not examine his employer to prove his employment with M/s Kailash Sharma. This fact was not disputed by the learned counsel for the appellant during the course of arguments. So far as computation of compensation in para 15 is concerned, the same has not been assailed by the learned counsel for the appellant who only contended that the expenses which were likely to be incurred ought to have been considered. However, a perusal of impugned award goes to show that the learned Tribunal has awarded Rs. 15,000/- for further expenses on treatment. In that view of the matter, I am of the considered opinion that the compensation of Rs. 1,18,680/- awarded by the learned Tribunal is just and reasonable compensation. For the foregoing reasons, this appeal being devoid of merit and is dismissed at the stage of admission. C.C. as per rules. **Sd-/** **Dilip Raosaheb Deshmukh** **Judge**	

Kvr

P.T.O.